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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 Joshua Bloom,) No. CV-12-1999-PHX-FJM
10 Petitioner,) No. CV-12-2337-PHX-FJM
11 vs.)
12 United States Department of Treasury,)
13 Respondent.)
14 _____)
15 United States of America,)
16 Plaintiff,)
17 vs.)
18 Rolls Royce Phantom Sedan 2004, VIN #) SCA1S68444UX07410,)
19 Defendant.)
20 _____)
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23 Before the court is petitioner Joshua Bloom's motion to extend the time to file an
24 appeal (doc. 23, 12-CV-1999; doc. 25, 12-CV-2337). Bloom seeks an additional 60 days in
25 which to file a notice of appeal of our orders denying his motions to set aside default and re-
26 open cases. (doc. 22, 12-CV-1999; doc. 24, 12-CV-2337). The Government has not filed
27 objections to the motions.
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The orders from which Bloom hopes to appeal were filed on September 20, 2013.

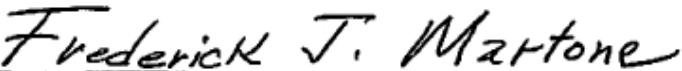
1 Therefore, the deadline for filing an appeal was November 20, 2013. Fed. R. App. P.
2 4(a)(1)(B) (60-day deadline to appeal when any party is the United States). A motion to
3 extend the time to appeal must be filed with the district court “no later than 30 days after the
4 time prescribed by Rule 4(a) expires” and the moving party demonstrates “excusable neglect
5 or good cause.” Fed. R. App. P. 4(a)(5)(A)(i) and (ii). Because Bloom filed his motion for
6 extension of time within the 30-day window, the only question before us is whether Bloom
7 has demonstrated good cause or excusable neglect.

8 Bloom contends that good cause exists because he was adjudicated incompetent by
9 Judge *Pro Tem* Barbara Spenser in the Superior Court of Arizona in Maricopa County and
10 he is still undergoing court-ordered competency restoration.

11 We agree that Bloom’s adjudicated lack of competency in the Superior Court
12 constitutes good cause for a 60-day continuance of time to perfect an appeal.

13 Therefore, **IT IS ORDERED GRANTING** petitioner’s motions for extension of time
14 (doc. 23, 12-CV-1999; doc. 25, 12-CV-2337). Petitioner or his legal guardian must file a
15 notice of appeal on or before January 20, 2014.

16 DATED this 9th day of December, 2013.

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19 Frederick J. Martone
20 Senior United States District Judge
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